

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FILED
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CRIMINAL NO. 04-1809-CBS P 12: 24
2004 SEP 21

UNITED STATES

V.

CARLOS ESPINOLA

U.S. DISTRICT COURT
DISTRICT OF MASS.

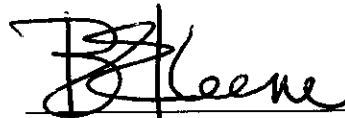
DEFENDANT'S MOTION TO DISMISS THE COMPLAINT

Carlos Espinola, defendant in the above-captioned criminal case, hereby moves this Court, pursuant to 18 U.S.C. § 3162(a), to dismiss the complaint. The grounds for the instant motion are set forth in the accompanying memorandum of law.

Respectfully submitted,

Carlos Espinola

By his attorney,



Bradford Eliot Keene,

BBO # 629440

Keene & Gizzi

Attorneys at Law

220 Broadway, Suite 402

Lynnfield, Ma 01940

781.346.6500

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CERTIFICATE OF SERVICE

I certify that I have served the foregoing document by providing a copy IN HAND to the office of the United States Attorney located at One Courthouse Way Boston, Massachusetts to the attention of AUSA David Tobin this 21st day of September, 2004.



Bradford Eliot Keene